IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/747,841	§	Examiner:	Nelson, Freda Ann
Filed: December 29, 2003	§	Group/Art Unit:	3628
Inventor(s):	§	Atty. Dkt. No:	5760-14600
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§
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B. Noël Kivlin
Printed Name

Signature   March 24, 2008
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Title: Using Technical
Performance Metrics For
Business and Usage
Analysis and Cost
Allocation

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

     Further to the Notice of Appeal filed December 26, 2007, Appellants present this
Appeal Brief. Appellants respectfully request that this appeal be considered by the Board
of Patent Appeals and Interferences.

I.   REAL PARTY IN INTEREST

The present application is owned by Precise Software Solutions Ltd., a corporation having an office and place of business at 10 Hata'asiya Street, Or-Yehuda, Israel 60408, which is a subsidiary of Symantec Corporation, a corporation organized and existing under and by virtue of the laws of the State of Delaware, and having its principal place of business at 20330 Stevens Creek Boulevard, Cupertino, California 95014.

II.   RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences known to Appellants, Appellants' legal representatives, or assignee which will directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.

III.   STATUS OF CLAIMS

Claims 1-23 are pending. Claims 1-23 are rejected, and the rejection of these claims is being appealed. A copy of claims 1-23 is included in the Claims Appendix attached hereto.

IV.   STATUS OF AMENDMENTS

No amendment to the claims has been filed subsequent to the final rejection. The Appendix hereto reflects the current state of the rejected claims.

V.   SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 1 is directed to a computer-implemented method for allocating resource usage costs in a computer system comprising a plurality of system resources. The method comprises determining a cost for each of the plurality of system resources (*see, e.g.*, Fig. 5, reference character 502; page 15, lines 10-15; page 17, lines 17-18). The method also comprises determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods (*see, e.g.*, Fig. 5, reference character 504; page 17, lines 18-22). Each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs (*see, e.g.*, page 15, line 10 to page 16, line 6). The method further comprises determining resource usage by an organizational unit for each of the plurality of system resources (*see, e.g.*, Fig. 5, reference character 506; page 14, lines 11-23; page 17, lines 24-28). Additionally, the method comprises programmatically determining a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources (*see, e.g.*, Fig. 5, reference character 508; page 17, lines 3-14; page 17, line 28 to page 18, line 3). The method further comprises storing the programmatically determined cost of the resource usage by the organizational unit in a cost allocation database (*see, e.g.*, Figs. 3 and 4, reference character 310; page 12, lines 19-24).

Independent claim 11 is directed to a computer-readable storage medium comprising program instructions for allocating resource usage costs in a computer system comprising a plurality of system resources (*see, e.g.*, page 21, lines 8-13). The program instructions are computer-executable to implement determining a cost for each of the plurality of system resources (*see, e.g.*, Fig. 5, reference character 502; page 15, lines 10-15; page 17, lines 17-18). The program instructions are computer-executable to implement determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods (*see, e.g.*, Fig. 5, reference character 504; page 17, lines 18-22). Each of the plurality of available cost allocation

methods defines a different way of dividing one of the determined costs (*see, e.g.,* page 15, line 10 to page 16, line 6). The program instructions are also computer-executable to implement determining resource usage by an organizational unit for each of the plurality of system resources (*see, e.g.,* Fig. 5, reference character 506; page 14, lines 11-23; page 17, lines 24-28). The program instructions are further computer-executable to implement programmatically determining a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources (*see, e.g.,* Fig. 5, reference character 508; page 17, lines 3-14; page 17, line 28 to page 18, line 3).

Independent claim 17 is directed to a system for allocating resource usage costs for usage of a plurality of system resources. The system comprises a usage analysis and cost allocation server (*see, e.g.,* Figs. 3 and 4, reference character 302; page 12, lines 19-24). The system comprises a usage analysis and cost allocation database which is coupled to the usage analysis and cost allocation server (*see, e.g.,* Figs. 3 and 4, reference character 310; page 12, lines 19-24). The usage analysis and cost allocation server is operable to determine a cost for each of the plurality of system resources (*see, e.g.,* Fig. 5, reference character 502; page 15, lines 10-15; page 17, lines 17-18). The usage analysis and cost allocation server is also operable to store the cost for each of the plurality of system resources in the usage analysis and cost allocation database (*see, e.g.,* Figs. 3 and 4, reference character 310; page 12, lines 19-24). The usage analysis and cost allocation server is further operable to determine a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods (*see, e.g.,* Fig. 5, reference character 504; page 17, lines 18-22). Each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs (*see, e.g.,* page 15, line 10 to page 16, line 6). The usage analysis and cost allocation server is also operable to store the cost allocation method for each of the plurality of system resources in the usage analysis and cost allocation database (*see, e.g.,* Figs. 3 and 4, reference character 310; page 12, lines 19-24). Additionally, the usage analysis and cost allocation server is operable to determine resource usage by an organizational unit for

each of the plurality of system resources (*see, e.g.*, Fig. 5, reference character 506; page 14, lines 11-23; page 17, lines 24-28). The usage analysis and cost allocation server further is operable to determine a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources (*see, e.g.*, Fig. 5, reference character 508; page 17, lines 3-14; page 17, line 28 to page 18, line 3).

Independent claim 23 is directed to a system for allocating resource usage costs in a computer system comprising a plurality of system resources. The system comprises means for determining a cost for each of the plurality of system resources (*see, e.g.*, Fig. 2, reference character 200; Figs. 3 and 4, reference characters 302, 304, 310; Fig. 5, reference character 502; page 11, line 13 to page 12, line 4; page 12, lines 19-24; page 14, line 25 to page 15, line 17; page 17, lines 17-18). The system also comprises means for determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods (*see, e.g.*, Fig. 2, reference character 200; Figs. 3 and 4, reference characters 302, 304, 310; Fig. 5, reference character 504; page 11, line 13 to page 12, line 4; page 12, lines 19-24; page 15, line 10 to page 16, line 6; page 17, lines 18-22). Each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs (*see, e.g.*, page 15, line 10 to page 16, line 6). The system further comprises means for determining resource usage by an organizational unit for each of the plurality of system resources (*see, e.g.*, Fig. 1, reference character 100; Fig. 2, reference character 200; Figs. 3 and 4, reference characters 302, 304, 310; Fig. 5, reference character 506; page 8, line 13 to page 12, line 4; page 12, lines 19-24; page 13, lines 6-10; page 14, lines 11-23; page 17, lines 24-28). The system also comprises means for programmatically determining a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources (*see, e.g.*, Fig. 2, reference character 200; Figs. 3 and 4, reference characters 302, 304,

310; Fig. 5, reference character 508; page 11, line 13 to page 12, line 4; page 12, lines 19-24; page 17, lines 3-14; page 17, line 28 to page 18, line 3).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1.   Claims 1, 2, 5-9, 11-15, 17-21, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Al-Hilali et al. (U.S. Patent No. 6,086,618, hereinafter "Al-Hilali") in view of Eden et al. (U.S. Patent Application Publication No. 2005/0171918, hereinafter "Eden").

2.   Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Al-Hilali in view of Eden and further in view of Applicant's Admitted Prior Art (AAPA).

3.   Claims 10, 16, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Al-Hilali in view of Eden and AAPA and further in view of Morgan et al. (U.S. Patent No. 5,799,286, hereinafter "Morgan").

VII.   ARGUMENT

First Ground of Rejection:

Claims 1, 2, 5-9, 11-15, 17-21, and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Al-Hilali et al. (U.S. Patent No. 6,086,618, hereinafter "Al-Hilali") in view of Eden et al. (U.S. Patent Application Publication No. 2005/0171918, hereinafter "Eden").   Appellants traverse this rejection for the following reasons. Different groups of claims are addressed under their respective subheadings.

Claims 1, 2, 7, 9, 11, 12, 15, 17, 18, 21, and 23:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claim 1.

In particular, Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest a method comprising "determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs" in combination with the remaining features of claim 1.

In rejecting claim 1, the Final Office Action argues that, in disclosing cost equations (e.g., col. 4, lines 4-9; col. 9, lines 30-45), Al-Hilali teaches or suggests a plurality of available cost allocation methods. Appellants respectfully disagree. At col. 10, lines 21-49, Al-Hilali discusses the construction of cost equations:

> In step 104, resource usage measurements are made for each transaction in each resource used. The "cost" in terms of each of the relevant system resources is determined for each transaction. In other words, any time a particular transaction is performed, it will use or consume a certain amount of system resources and the step of making the resource usage measurements is determining those costs on a per transaction basis. Generally speaking, the behavior of users can eventually be reduced to transaction rates of the various defined transaction. One way of generating the system resource usage measurements for individual transactions will be shown hereafter in connection with the discussion of the flow chart in FIG. 5.

> Once the resource usage measurements have been determined for each transaction in step 104, total cost equations may be developed for each pertinent system resource at step 106. Such cost equations will take as a component any resource usage attributed to a particular transaction. In other words, each relevant system resource will have a cost equation that takes as input the transaction rate of all relevant transactions contributing

to the use of that particular system resource. All defined transactions are represented in the cost equation for a given system resource unless executing the transaction does not use the resource at all. The more transactions that are defined, the more complex the cost equation tends to be since it may have many more components.

Therefore, each of Al-Hilali's cost equations is essentially a sum of the various costs associated with the use of a system resource. As Al-Hilali further explains in col. 10, lines 56-64, the cost equations are used to determine an aggregate or total system resource usage, not an allocation of costs. Appellants respectfully submit that a method for determining a sum of costs is far removed from a method of dividing a cost.

In col. 10, lines 21-29, Al-Hilali discloses that any cost division is performed as a part of a measurement step, not as a component of one of Al-Hilali's cost equations:

In step 104, resource usage measurements are made for each transaction in each resource used. The "cost" in terms of each of the relevant system resources is determined for each transaction. In other words, any time a particular transaction is performed, it will use or consume a certain amount of system resources **and the step of making the resource usage measurements is determining those costs on a per transaction basis.**

Furthermore, Al-Hilali discloses only one way of dividing a cost: per transaction (see, e.g., col. 10, lines 24-28; col. 12, lines 27-33). Thus, Al-Hilali does not teach or suggest determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs. Eden also fails to teach or suggest these features.

Accordingly, claim 1 and its dependent claims 2, 7, and 9 are believed to patentably distinguish over the cited references for at least the reasons given above. Independent claims 11, 17, and 23 and dependent claims 12, 15, 18, and 21 are believed to patentably distinguish over the cited references for at least the same reasons.

Claims 5, 13, and 19:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claim 5.

Claim 5 is dependent on claim 1 and is patentably distinct from the cited references for at least the reasons discussed above regarding claim 1. Furthermore, Appellants respectfully submit that Al-Hilali does not teach or suggest a method "wherein the plurality of available cost allocation methods comprises a per usage time cost allocation method" in combination with the remaining features of claim 5 and the base claim 1. In rejecting claim 5, the Final Office Action cites col. 4, line 64 through col. 5, line 4 of Al-Hilali. At the cited location, Al-Hilali discloses <u>measuring</u> different types of resource usage such as CPU usage, disk access time, memory usage, etc., but not <u>cost allocation</u>. There is no teaching or suggestion in Al-Hilali or Eden of a per usage time <u>cost allocation method</u>, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs.

Thus, claim 5 is patentably distinct from the cited references for at least the reasons discussed above. Claims 13 and 19 are believed to patentably distinguish over the cited references for similar reasons.

Claim 6:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claim 6.

Claim 6 is dependent on claim 1 and is patentably distinct from the cited references for at least the reasons discussed above regarding claim 1. Furthermore, Appellants respectfully submit that Al-Hilali does not teach or suggest a method "wherein the plurality of available cost allocation methods comprises a per active days cost allocation method" in combination with the remaining features of claim 6 and the base claim 1. In rejecting claim 6, the Final Office Action cites col. 8, lines 10-19 of Al-Hilali. At the cited location, Al-Hilali discloses various aspects of computer networking. At col. 9, lines 10 – 19, Al-Hilali discloses <u>measuring the usage</u> of various resources but not <u>cost allocation</u>. There is no teaching or suggestion in Al-Hilali or Eden of a per active days <u>cost allocation method</u>, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs.

Thus, claim 6 is patentably distinct from the cited references for at least the reasons discussed above.

Claims 8, 14, and 20:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claim 8.

Claim 8 is dependent on claim 1 and is patentably distinct from the cited references for at least the reasons discussed above regarding claim 1. Furthermore, Appellants respectfully submit that Al-Hilali does not teach or suggest a method "wherein the plurality of available cost allocation methods comprises a per processing time cost allocation method" in combination with the remaining features of claim 8 and the base claim 1. In rejecting claim 8, the Final Office Action cites col. 9, lines 10-19 of Al-Hilali. At the cited location, Al-Hilali discloses measuring the usage of various

resources but not cost allocation. There is no teaching or suggestion in Al-Hilali or Eden of a per processing time cost allocation method, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs.

Thus, claim 8 is patentably distinct from the cited references for at least the reasons discussed above. Claims 14 and 20 are believed to patentably distinguish over the cited references for similar reasons.

Second Ground of Rejection:

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Al-Hilali in view of Eden and further in view of Applicant's Admitted Prior Art (AAPA). Appellants traverse this rejection for the following reasons.

Claims 3 and 4:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claims 3 and 4 in combination with the base claim 1.

Claims 3 and 4 are dependent on claim 1. Thus, claims 3 and 4 are patentably distinct from the cited references for at least the reasons discussed above regarding claim 1.

Third Ground of Rejection:

Claims 10, 16, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Al-Hilali in view of Eden and AAPA and further in view of Morgan et

al. (U.S. Patent No. 5,799,286, hereinafter "Morgan"). Appellants traverse this rejection for the following reasons.

Claims 10, 16, and 22:

To establish a *prima facie* case of obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Appellants respectfully submit that the cited references, taken individually or in combination, do not teach or suggest all the limitations recited in claim 10 in combination with the base claim 1.

Claim 10 is dependent on claim 1. Thus, claim 10 is patentably distinct from the cited references for at least the reasons discussed above regarding claim 1. Dependent claims 16 and 22 are believed to patentably distinguish over the cited references for similar reasons.

For the foregoing reasons, it is submitted that the Examiner's rejection of claims 1-23 was erroneous, and reversal of the decision is respectfully requested.

The Commissioner is authorized to charge the appeal brief fee of $510.00 and any other fees that may be due to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 50-1505/5760-14600/BNK.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

The claims on appeal are as follows.

      1.   A computer-implemented method for allocating resource usage costs in a computer system comprising a plurality of system resources, the method comprising:

        determining a cost for each of the plurality of system resources;

        determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs;

        determining resource usage by an organizational unit for each of the plurality of system resources;

        programmatically determining a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources; and

        storing the programmatically determined cost of the resource usage by the organizational unit in a cost allocation database.

      2.   The method of claim 1,

        wherein each of the plurality of system resources comprises one or more cost elements, and wherein a cost allocation method is determined for each of the one or more cost elements.

      3.   The method of claim 1,

        wherein the plurality of available cost allocation methods comprises a per license

cost allocation method.

4.   The method of claim 1,

wherein the plurality of available cost allocation methods comprises a per
headcount cost allocation method.

5.   The method of claim 1,

wherein the plurality of available cost allocation methods comprises a per usage
time cost allocation method.

6.   The method of claim 1,

wherein the plurality of available cost allocation methods comprises a per active
days cost allocation method.

7.   The method of claim 1,

wherein the plurality of available cost allocation methods comprises a per number
of activities cost allocation method.

8.   The method of claim 1,

wherein the plurality of available cost allocation methods comprises a per
processing time cost allocation method.

9.   The method of claim 1,

wherein the determining resource usage by an organizational unit for each of the
plurality of system resources comprises using a performance management

system to collect usage data for one or more of the plurality of system resources.

10.   The method of claim 1, further comprising:

importing employee data from a human resources directory; and

defining the organizational unit as a group of users based on the imported employee data.

11.   A computer-readable storage medium comprising program instructions for allocating resource usage costs in a computer system comprising a plurality of system resources, wherein the program instructions are computer-executable to implement:

determining a cost for each of the plurality of system resources;
determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs;
determining resource usage by an organizational unit for each of the plurality of system resources; and
programmatically determining a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources.

12.   The computer-readable storage medium of claim 11,

wherein each of the plurality of system resources comprises one or more cost elements, and wherein a cost allocation method is determined for each of

the one or more cost elements.

13.   The computer-readable storage medium of claim 11,

wherein the plurality of available cost allocation methods comprises a per usage time cost allocation method.

14.   The computer-readable storage medium of claim 11,

wherein the plurality of available cost allocation methods comprises a per processing time cost allocation method.

15.   The computer-readable storage medium of claim 11,

wherein the determining resource usage by an organizational unit for each of the plurality of system resources comprises using a performance management system to collect usage data for one or more of the plurality of system resources.

16.   The computer-readable storage medium of claim 11, wherein the program instructions are further computer-executable to implement:

importing employee data from a human resources directory; and

defining the organizational unit as a group of users based on the imported employee data.

17.   A system for allocating resource usage costs for usage of a plurality of system resources, the system comprising:

a usage analysis and cost allocation server;

a usage analysis and cost allocation database which is coupled to the usage analysis and cost allocation server;

wherein the usage analysis and cost allocation server is operable to:

determine a cost for each of the plurality of system resources;

store the cost for each of the plurality of system resources in the usage analysis and cost allocation database;

determine a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs;

store the cost allocation method for each of the plurality of system resources in the usage analysis and cost allocation database;

determine resource usage by an organizational unit for each of the plurality of system resources; and

determine a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources.

18.   The system of claim 17,

wherein each of the plurality of system resources comprises one or more cost elements, and wherein a cost allocation method is determined for each of the one or more cost elements.

19.   The system of claim 17,

wherein the plurality of available cost allocation methods comprises a per usage time cost allocation method.

20.   The system of claim 17,

wherein the plurality of available cost allocation methods comprises a per processing time cost allocation method.

21.   The system of claim 17,

wherein in determining the resource usage by an organizational unit for each of the plurality of system resources, the usage analysis and cost allocation server is operable to use a performance management system to collect usage data for one or more of the plurality of system resources.

22.   The system of claim 17, wherein usage analysis and cost allocation server is further operable to:

import employee data from a human resources directory; and

define the organizational unit as a group of users based on the imported employee data.

23.   A system for allocating resource usage costs in a computer system comprising a plurality of system resources, the system comprising:

means for determining a cost for each of the plurality of system resources;
means for determining a cost allocation method for each of the plurality of system resources from a plurality of available cost allocation methods, wherein each of the plurality of available cost allocation methods defines a different way of dividing one of the determined costs;
means for determining resource usage by an organizational unit for each of the plurality of system resources; and

means for programmatically determining a cost of resource usage by the organizational unit based on the cost for each of the plurality of system resources, the cost allocation method for each of the plurality of system resources, and the resource usage by the organizational unit for each of the plurality of system resources.

IX. EVIDENCE APPENDIX

No evidence submitted under 37 CFR §§ 1.130, 1.131, or 1.132 or otherwise entered by the Examiner is relied upon in this appeal.

X.   RELATED PROCEEDINGS APPENDIX

There are no related proceedings known to Appellants, Appellants' legal representatives, or assignee which will directly affect, be directly affected by, or have a bearing on the Board's decision in the pending appeal.